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December 12, 2007

BY FAX

Hon. Richard J. Holwell
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1950
New York, New York 10007

Re: P.S. and K.S., on behalf of M.S. v. New York City Dept. of Education
07 CV 10550 (RJH)

Dear Judge Holwell:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel Michael A. Cardozo. I write on behalf of defendant Department of Education ("DOE") to respectfully request an extension of time for DOE to respond to the Complaint, from December 17, 2007 until January 15, 2008. The additional time is necessary in order to explore the possibility of early resolution.

Plaintiffs herein allege that they are entitled to attorney's fees in that they substantially prevailed at three administrative hearings related to the educational placement of their child, M.S.. To the extent that the record demonstrates Plaintiffs were in fact the prevailing party, the DOE does not dispute that counsel is entitled to reasonable fees.

On December 7, 2007, I contacted Plaintiffs' counsel to request that he provide Defendant with copies of his billing records. Plaintiffs' counsel has indicated that he will provide Defendant with those records. An extension of time will allow for such records to be transmitted, and for Defendant's counsel to analyze Plaintiffs' request and explore the possibility of settlement.

This is the first request for an extension of time in this matter. Plaintiffs' counsel has consented to this request.

Thank you for your consideration of this request for an extension of time to respond to the complaint until January 15, 2008.

Respectfully,



Steven D. Weber (SW 9833)
Assistant Corporation Counsel

cc: Gary S. Mayerson (By Fax)

Application Granted

SO ORDERED

D. J. H. H. H.

USDT

12/18/07